

1827764

CASE FILE NO.

3405

MASTER ADDRESS NO.

**NOTICE OF NONCOMPLIANCE  
OR  
NOTICE OF NONCOMPLIANCE  
& PLAN OF CORRECTION**



Oregon Department of Agriculture  
Natural Resources Division  
635 Capitol Street NE  
Salem, Oregon 97301-2532  
(503) 986-4700

Hogan Dairy Farms  
CONFINED ANIMAL FEEDING OPERATION (CAFO)

Dave Hogan  
CAFO OPERATOR'S NAME

2614 1<sup>st</sup> Street, Tillamook, OR 97141 503-842-3166  
STREET ADDRESS, CITY, STATE, ZIP PHONE NUMBER

On January 25, 2018  
MONTH, DAY, YEAR

Ben Krahn  
INSPECTOR'S NAME

of the Oregon Department of Agriculture met with you to review your compliance with the Oregon CAFO General Permit or the Oregon CAFO Individual Permit issued for your operation by the Department of Agriculture, and state laws and regulations relating to protection of the state's waters. The principal requirement of the permit is that animal wastes be managed so pollutants do not discharge into surface waters or impact groundwater. You are also required to contain, treat, hold and dispose of wastes in a manner that does not adversely impact water quality.

Based on the inspector's observations and report, the department concludes that conditions exist at your operation that are in violation of your CAFO permit and state water quality laws. The purpose of this **Notice of Noncompliance (NON)** or **Notice of Noncompliance & Plan of Correction (POC)** is to identify for you the conditions of your operation that are out of compliance and must be corrected. The department is committed to working with you as you take the necessary actions to bring your CAFO into compliance.

Description of Violation(s):

S2.B(3)-Production area limitations

- Placing straw from calf hutches over bank, adjacent to surface H2O, behind the calf barn in an area not approved for manure storage.

S2.A(1)-Prohibitions and discharge limitations

- A discharge from the effluent control pond, adjacent to the digester discharged from the production area and entered waters of the state.

\*See Continuation #1\*

Required Corrective Action(s) and Compliance Schedule:

To correct the violation(s) you are directed to take the following actions by the date(s) indicated.

- By 2/20/18, remove straw from over the bank and reseed. Maintain compliance of CAFO Permit condition S2.B as long as registered to permit.
- By 6/30/18, control all runoff from discharge area. Maintain compliance of CAFO permit condition S2.A as long as registered to permit.
- By 3/11/18, send ODA a plan of action to maintain compliance in the event the digester malfunctions. Maintain compliance of CAFO permit condition S2.J as long as registered to permit.

\*See Continuation #2\*

Thank you for your cooperation in these matters. If you have any questions, please contact me.

Under the Oregon Plan for Salmon and Watersheds, Oregonians across the state are working together in a spirit of cooperation to restore and maintain our rivers, lakes and streams for multiple uses. By completing the measures described above, you can do your part to protect and improve water quality.

Sincerely,

INSPECTOR'S SIGNATURE

Livestock Water Quality Specialist  
CAFO Program, Natural Resources Division  
Phone: 503-986-6468

Entered: 02/15/18

REVISED 7/2017

1827764

CASE FILE NO.

#1  
**Continuation of**

- WQA  
 NON  
 NON/POC  
 INSPECTION FORM



Oregon Department of Agriculture  
Natural Resources Division  
635 Capitol Street NE  
Salem, Oregon 97301-2532  
(503) 986-4700

Description of Violations:

52.E(3) Waste Storage facilities

- Operator failed to have depth markers in the digester effluent control pond.

52.H- Proper Operation and Maintenance

- Operator failed to operate and maintain the digester portion of the Manure system so that no unpermitted discharge occurred.

52.I - Maintaining Compliance if system fails

- System (digester) not repaired in a timely manner.

54.D(1)(2)- Reporting Requirements

- Failure to report.

In December 3, 2017, a pump failed @ the digester resulting in ~~overflowing~~ effluent entering the effluent control pond through a overflow pipe. The effluent control pond overflowed 30,000-40,000 gallons of effluent that entered the adjacent field. The field has a ditch on the west side that flows eventually to Holquist Slough. The discharge was not reported. Straw from the calf area was pushed over the bank behind the calf barns.

1827764

CASE FILE NO.

#2  
**Continuation of**

- WQA  
 NON  
 NON/POC  
 INSPECTION FORM



Oregon Department of Agriculture  
Natural Resources Division  
635 Capitol Street NE  
Salem, Oregon 97301-2532  
(503) 986-4700

Required Corrective Actions:

- By 2/20/18 - Plant grass in discharge area.
- By 2/20/18 - Inspect digester and transfer system, ~~for~~ proper operation daily and record. Maintain compliance of CAFO permit conditions 52.H as long as registered to permit.
- By 3/15/18 - send construction engineering documents for new effluent control tank to department for review.
- Within 60 days of ODA approval, construct new effluent control tank to department for review.
- Report all discharges to ODA w/in 24 hours and follow all permit conditions.

1827764

CASE FILE NO.

## Continuation of

- WQA
- NON
- NON/POC
- INSPECTION FORM



Oregon Department of Agriculture  
Natural Resources Division  
635 Capitol Street NE  
Salem, Oregon 97301-2532  
(503) 986-4700

- Stop discharge by any means.
- Will contact contractor w/ excavator to berm up areas immediately
- Pump failed in digester which resulted in digested effluent entering the effluent control pond. The film in the pond created a mat so that when effluent entered from the 12" over flow, the effluent entered the field.
- Written reports will be submitted
- Follow All Permit Conditions

1827764

CASE FILE NO.

**Continuation of**

- WQA  
 NON  
 NON/POC  
 INSPECTION FORM



Oregon Department of Agriculture  
Natural Resources Division  
635 Capitol Street NE  
Salem, Oregon 97301-2532  
(503) 986-4700

- Collected Samples from area on North side of digester. Effluent containment pond is full. On December 3<sup>rd</sup> pump plugged resulting in digested material flowing to effluent containment pond and into field. 7 samples collected!

Sample #1 - from digester

2 - Adjacent to digester

3 - down hill from digester

4 - South side of Cow Lane culvert in ditch

5 - North side of Cow Lane in ditch next to Culvert

6 - Up stream

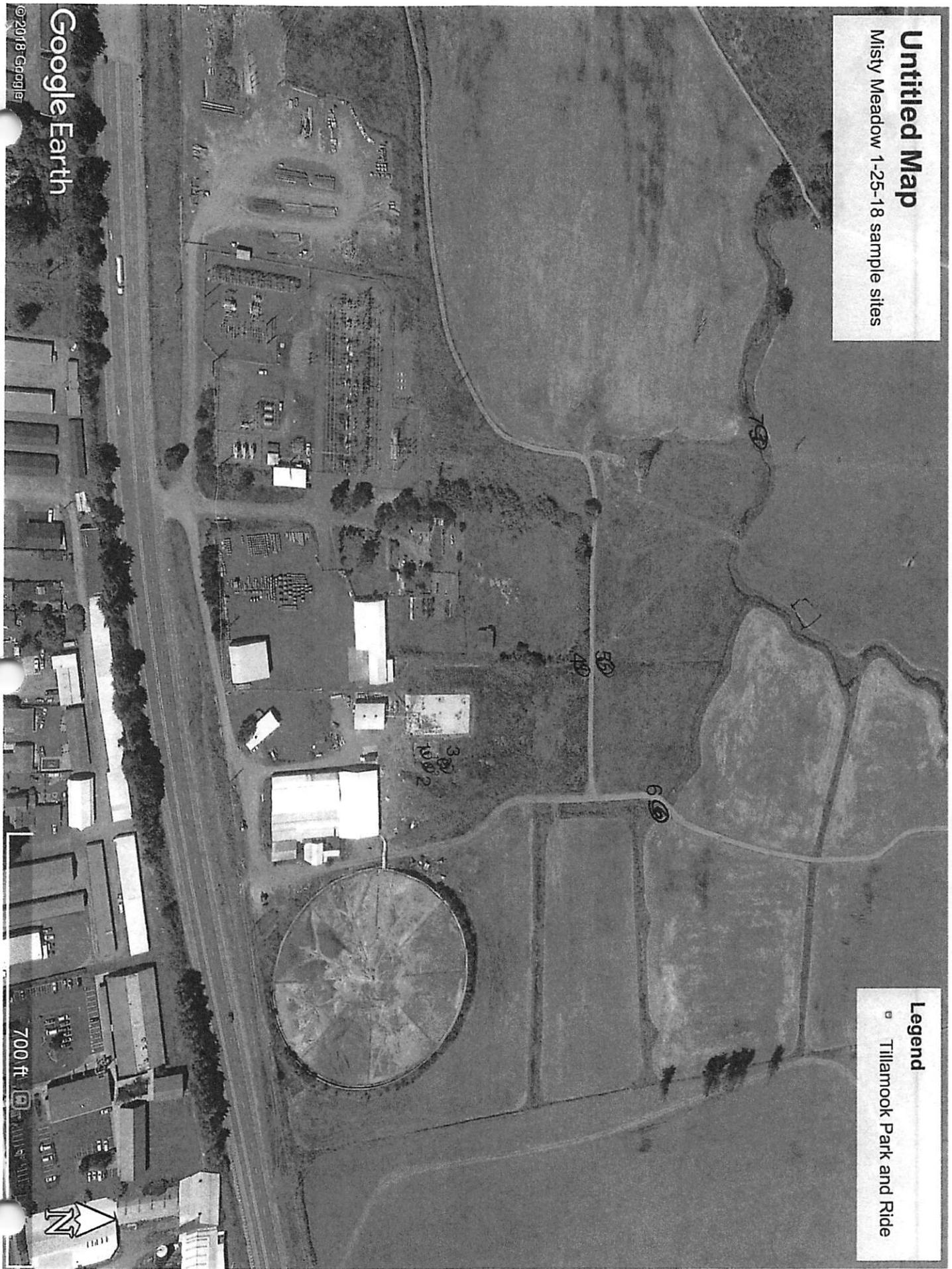
7 - Down stream

# Untitled Map

Misty Meadow 1-25-18 sample sites

## Legend

- Tillamook Park and Ride



1827764

# Confined Animal Feeding Operation Facility Inspection Report

**INSPECTION TYPE:**

- Routine       EPA  
 Follow-up       Planning Assistance  
 Complaint       Announced     Unannounced  
 Educational Review       Other: \_\_\_\_\_

Date: 01/25/18 Arrival Time: \_\_\_\_\_ Departure Time: \_\_\_\_\_ License No.: 63405 Permitted Animal Numbers: 300

Assumed Business Name: Hagan Dairy Farms

Operator's Name: Dave Hagan E-mail Address: \_\_\_\_\_

Address: 2614 1st Street

City: Tillamook Zip: 97141 County: Tillamook

Phone Number: 503-842-3166 Cell Phone Number: 503-853-9739



**Oregon**

**Department  
of Agriculture**

635 Capitol Street N.E.  
Salem, OR 97301-2532

5,300

A Confined Animal Feeding Operation inspection was made at your facility on this date. Summary of inspection results is below.

LEGEND: C=Compliance    N=Non-compliance    NA=Not Applicable    NE=Not Evaluated    \*=See Remark

ITEM	REMARKS
1. Livestock Inventory:	<u>Golden Mist (9090 Mill Creek Road)</u> <ul style="list-style-type: none"> <li>- Visited area on west side of solid storage area by rec. pit.</li> <li>- Lagoon ~5' from top</li> <li>- Solid storage area appears empty</li> <li>- Storing solids for bedding in cow barn</li> </ul>
2. Parlor, Milk House, Holding Pen	<u>misty Meadow (11 me)</u> <ul style="list-style-type: none"> <li>- Calf hut straw pushed over bank</li> <li>- Visited @ clean &amp; dirty water mgt.</li> <li>- Viewed @ slough on North side of farm</li> <li>- ~4' ~2' from top</li> </ul>
3. Animal Confinement Facilities	<u>River Mist (955 Makinstor)</u> <ul style="list-style-type: none"> <li>- Separator tank ~1' from top</li> <li>- Back up tank ~6" from top</li> <li>- Currently empty.</li> <li>- Big tank ~1' from top</li> </ul>
4. Manure and Silage Containment Facilities	<u>Entered: 01/30/18</u>
5. Manure Application Areas      Acres: _____	<u>Nielson tank ~1/2 full.</u> <ul style="list-style-type: none"> <li>- Will contact for Animal #1's Application Records</li> </ul>
6. Animal Waste Management Plan (AWMP) and Recordkeeping	<u>- Soil sample results will be sent w/ annual report</u>

**CONCLUSION:**

- a. Facility in compliance. Thank you for your cooperation in protecting the quality of Oregon's surface and ground waters.  
b. On Schedule.  
c. Planning Assistance.  
d. Educational Review.  
e. Concern(s) identified. See attached Water Quality Advisory.  
f. Violation(s) identified. See attached Notice of Noncompliance and Plan of Correction.  
g. Final Inspection Results Pending.

Inspector Signature

Operator Signature